

PART I

GOVERNMENT OF PUNJAB

**DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,
PUNJAB**

NOTIFICATION

The 29th April, 2016

No. 14-Leg./2016.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 25th day of April, 2016, is hereby published for general information:-

THE PUNJAB MUNICIPAL (AMENDMENT) ACT, 2016.

(Punjab Act No. 11 of 2016)

AN

ACT

further to amend the Punjab Municipal Act, 1911.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India as follows: -

1. (1) This Act may be called the Punjab Municipal (Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Municipal Act, 1911 (hereinafter referred to as the principal Act), after section 59, the following section shall be inserted, namely:- Insertion of section 59-A in Punjab Act 3 of 1911.

"59-A. (1) With respect to the disposal of property belonging to a

Disposal of Committee, the following provisions shall have effect, property. namely:-

(a) The Executive Officer may, with the sanction of the committee, lease, sell, let out on hire or otherwise transfer any property, movable or immovable, belonging to the Committee.

(b) The consideration for which any immovable property may be sold, leased or otherwise transferred shall not be less than the value at which

such immovable property could be sold, leased or otherwise transferred in normal and fair competition.

- (c) The sanction of the Committee under the aforesaid clause (a) may be given either generally for any class of cases or specially for any particular case.
- (d) Subject to any condition or limitation that may be specified by or under any other provision of this Act, the foregoing provisions of this section shall apply to every disposal of property belonging to the Committee made under, or for any purposes of this Act.

(2) Notwithstanding anything contained in sub-section (1), the Executive Officer may, with the sanction of the Committee, transfer at market value, any immovable property belonging to the Committee to recognized political parties having representation in the current Vidhan Sabha but, having no office at the District Headquarter".

3. In the principal Act, in section 61, in sub-section (1), in clause (aa) Amendment in section 61 of Punjab Act 3 of in sub-clause (A), in Item I,-

(i) at the end of serial No. (ix), the word "and" shall be omitted; 1911.

and

(ii) at the end of serial No. (x), the word "and" shall be added and thereafter, the following shall be added, namely:-

"(xi) purchase centres, sub yards, principal yards, kisan sarais, office buildings and other properties owned and used by the Punjab State Agricultural Marketing Board and the Market Committees established under the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of 1961).".

4. In the principal Act, in section 68, for sub-section (3), the following Amendment in section 68 of Punjab Act 3 of sub-section shall be substituted, namely:-

"(3) Where the tax calculated under sub-section (1), is not fully 1911.
paid by the owner or occupier by the 31st December of the

relevant financial year as aforesaid, but is paid on or before the 31st March of that financial year, a penalty of ten per cent of the remaining amount of tax so calculated shall be payable:

Provided that no penalty shall be payable if the tax calculated under sub-section (1) for the financial year 2015-16 is fully paid by the 31st March 2016.".

VIVEK PURI,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

1002/04-2016/Pb. Govt. Press, S.A.S. Nagar

PART I

GOVERNMENT OF PUNJAB

**DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,
PUNJAB**

NOTIFICATION

The 29th April, 2016

No. 15-Leg./2016.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 25th day of April, 2016, is hereby published for general information:-

**THE PUNJAB MUNICIPAL CORPORATION (AMENDMENT)
ACT, 2016.**

(Punjab Act No. 12 of 2016)

AN

ACT

further to amend the Punjab Municipal Corporation Act, 1976.

BE it enacted by the Legislature of the State of Punjab in the Sixty-Seventh Year of the Republic of India, as follows: -

1. (1) This Act may be called the Punjab Municipal Corporation (Amendment) Act, 2016. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Municipal Corporation Act, 1976 (hereinafter referred to as the principal Act), in section 90, in sub-section (3-A), in clause (ii), in sub-clause (A), in item 1,- Amendment in section 90 of Punjab Act 42 of 1976.

(i) at the end of serial No. (ix), the word "and" shall be omitted; and

(ii) at the end of serial No. (x), the word "and" shall be added and thereafter, the following shall be added, namely:-

"(xi) purchase centres, sub yards, principal yards, kisan sarais, office buildings and other properties owned and used by the Punjab State Agricultural Marketing Board and the Market Committees established under the Punjab

Agricultural Produce Markets Act, 1961 (Punjab Act
No. 23 of 1961).".

3. In the principal Act, in section 112-A, for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) Where the tax calculated under sub-section (1), is not fully paid by the owner or occupier by the 31st December of the relevant financial year as aforesaid, but is paid on or before the 31st March of that financial year, a penalty of ten per cent of the remaining amount of tax so calculated shall be payable:

Provided that no penalty shall be payable if the tax calculated under sub-section (1) for the financial year 2015-16 is fully paid by the 31st March 2016."

4. In the principal Act, in section 172, the existing provisions shall be re-numbered as sub-section (1) and after such re-numbered sub-section (1), the following sub-section shall be added, namely: -

"(2) Notwithstanding anything contained in sub-section (1), the Commissioner may, with the sanction of the Corporation, transfer at market value, any immovable property belonging to the Corporation to recognized political parties having representation in the current Vidhan Sabha but, having no office at the District Headquarter."

Amendment in
section 112-A of
Punjab Act 42 of
1976.

Insertion in
section 172 of
Punjab Act 42 of
1976.

VIVEK PURI,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

PART I

GOVERNMENT OF PUNJAB

**DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,
PUNJAB**

NOTIFICATION

The 29th April, 2016

No. 16-Leg./2016.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 25th day of April, 2016, is hereby published for general information:-

**THE AMRITSAR WALLED CITY (RECOGNITION OF USAGE)
ACT, 2016.**

(Punjab Act No. 13 of 2016)

AN

ACT

to provide for one-time recognition of usage in respect of building violations made in commercial establishments within the walled city of Amritsar and for regulated development by providing for public safety, convenience and well being.

BE it enacted by the Legislature of the State of Punjab in the Sixty-seventh Year of the Republic of India as follows :-

- 1.** (1) This Act may be called the Amritsar Walled City (Recognition of Usage) Act, 2016. Short title, application and commencement.
(2) It shall be applicable to the walled city.
(3) It shall come into force on and with effect from the date of its publication in the Official Gazette.

- 2.** (1) In this Act, unless the context otherwise requires,- Definitions.
(a) "appointed date" means such date, as may be notified by the State Government;
(b) "building by-laws" means the Municipal Corporation (Erection and Re-erection of Building) Bye-laws, 1997;
(c) "building violation" means construction of a building made in violation of its sanctioned plan or without getting the plan sanctioned from

the Competent Authority, whole or part of which is non-compoundable as per clause 3.15 of the building bye-laws made under the Punjab Municipal Corporation Act, 1976;

- (d) "commercial establishment" means a building, other than an industrial building, used or constructed or adopted to be used wholly or partially for shops, private offices, banks, hotels, restaurants, beauty parlors, boutiques, video parlors, cinemas and auditoriums, or any other such building, being used for similar purpose engaged in trade and commerce, but shall not include nursing homes, hospitals, marriage palaces and multiplexes;
- (e) "Competent Authority" mean the Commissioner, Municipal Corporation, Amritsar;
- (f) "prescribed" means prescribed by rules made under this Act;
- (g) "State Government" means the Government of the State of Punjab in the Department of Local Government;
- (h) "usage" means the existing use of the commercial establishment as per the municipal record on the appointed date; and
- (i) "walled city" means the area of Amritsar city bounded by outer circular road within the boundaries of fascile wall and old gates i.e. Hall Gate, Ram Bagh Gate, Mahan Singh Gate, Sheran Wala Gate, Ghee Mandi Gate, Sultanwind Gate, Chatiwind Gate, Gilwali Gate, Bhagtan Wala Gate, Hakiman Gate, Khazana Gate, Lahori Gate, B.K. Dutt Gate, Lohgarh Gate, Hathi Gate and Sikandri Gate as shown in the Schedule appended to this Act.

(2) All other expressions used, but not defined, in this Act shall have their respective meanings as assigned to them in the Punjab Municipal Corporation Act, 1976 and the building bye-laws.

Mode of application.

3. (1) Within a period of thirty days from the date of coming into force of this Act, any owner of a commercial establishment, within the walled city, may voluntarily disclose about any building violation and apply to the Competent Authority for recognition of its usage as on the appointed date. Such an application shall be submitted as per Form 'A' along with photographs of such establishment, duly signed by its owner.

(2) Thereafter, within a period of ninety days, the applicant shall submit the required information in Form 'B' alongwith all the requisite documents/ plans and such application fee, as may be prescribed.

4. (1) The building violations and usages as they exist on the appointed date and disclosed voluntarily shall be settled by the Competent Authority, as a one-time measure, on as-is-where-is basis, subject to adherence to such norms and upon payment of such composition fee, as may be prescribed by the State Government in view of the peculiar situation of the walled city.

One-time
recognition of
usage in
commercial
establishment.

(2) The applicant shall have to make structural changes in the building if required to bring it in conformity with prescribed norms within a period of ninety days from the date of submission of details in Form 'B' and shall also submit mandatory clearances from other departments/authorities, if required.

(3) In case such owner/applicant does not comply with the prescribed norms, then the water supply/sewerage connections to the whole commercial establishment shall be disconnected after giving a notice of thirty days, which shall be followed by sealing.

5. The Competent Authority shall pass the final order and finalize the matter under this Act within a period of one year after coming into force of this Act.

Time limit for
finalizing action
under the Act.

6. (1) No usage, in case of a building violation, shall be recognized if it involves encroachment on any public or private land.

Restrictions on
recognition of
usage.

(2) The one-time recognition shall be without prejudice to the disciplinary action, as may be taken against the concerned officer or official of the Municipal Corporation, Amritsar, who is found responsible for aiding or abetting such usage and building violations.

7. Notwithstanding anything inconsistent contained in the Punjab Municipal Corporation Act, 1976 and the rules, regulations and the building bye-laws made thereunder, the provisions of this Act shall have an over-riding effect.

Overriding
effect.

FORM 'A'

[see section 3(1)]

Application form for recognition of building violations and usage

To

The Commissioner,
 Municipal Corporation, Amritsar.

- I/We have constructed a commercial/hotel building or carried out alteration/addition to an existing building before _____ without obtaining sanction from the Competent Authority.
- I/We have obtained sanction *vide* permit No. _____ more dated _____ more for the construction or reconstruction or addition or alteration to an existing building and have carried out the construction in deviation to sanctioned plans.

The particulars of the said building are as under:-

(a) Name of owner(s) of the Building		
(b) Address of property in question	Property No.	
	Block No./Street	
	Ward No./Locality	
(c) Description of Building	Use of building	
	Plot area	
	No. of storeys	
(d) Date/Year of construction		

1. I/We realize that the construction so carried out is in violation of the provisions of the Punjab Municipal Corporation Act, 1976 and/or the Building Bye-laws framed thereunder.
2. I/We hereby request that the said building may be considered for recognition of usage in terms of the provisions of the Amritsar Walled City (Recognition of Usage) Act, 2016.
3. I/We declare that the building does not encroach on any public/private land or on public space by virtue of any Scheme.
4. I/We declare that neither any dispute regarding ownership or construction thereof is

pending with any Court, Authority/Department or with any person nor any adverse orders have been passed by any Court or Authority/Department pertaining to or with reference to the land/plot or building therein.

5. I/We also undertake to *abide* by and comply with all the conditions, which may be imposed while recognizing the usages in the aforesaid building.
6. I/We solemnly affirm and declare that the above information is true/correct to the best of my/our knowledge/belief.
7. The photographs showing the elevation of the building from all sides are enclosed.

Yours faithfully,

(Signature/Thumb impression of applicant
with date of submission and address)

FORM 'B'

[*see section 3(2)*]

Application form for recognition of building violations and usage

To

The Commissioner,
 Municipal Corporation,
 Amritsar.

Sir,

In continuation of my Application for recognition of building violations and usage in Form A, submitted *vide* number _____ dated _____, I hereby submit the following details/documents/Plans as required under sub-section (2) of section 3 of The Amritsar Walled City (Recognition of Usage) Act, 2016.

(a) Name of owner(s) of the commercial establishment

(b) Address of property in question	Property No.	
	Block No./Street	
	Ward No./Locality	

(c) Description of the commercial establishment

(c)	Plot area			
	Number of storeys			
	Floor wise area	Use	Total Area	Non-compoundable area
	(i) Basement			
	(ii) Ground Floor			
	(iii) First Floor			
	(iv) Second Floor			
	(v) Third Floor			
	(vi) Fourth floor			
	Total Area			

		Permissible/Required	As per site	Non compoundable
(d)	FAR			
(e)	Height			
(f)	Setbacks			
	Front			
	Side-I			
	Side-II			
	Rear			
	(g) Parking			

2. Checklist of enclosures to be furnished by the owner:-

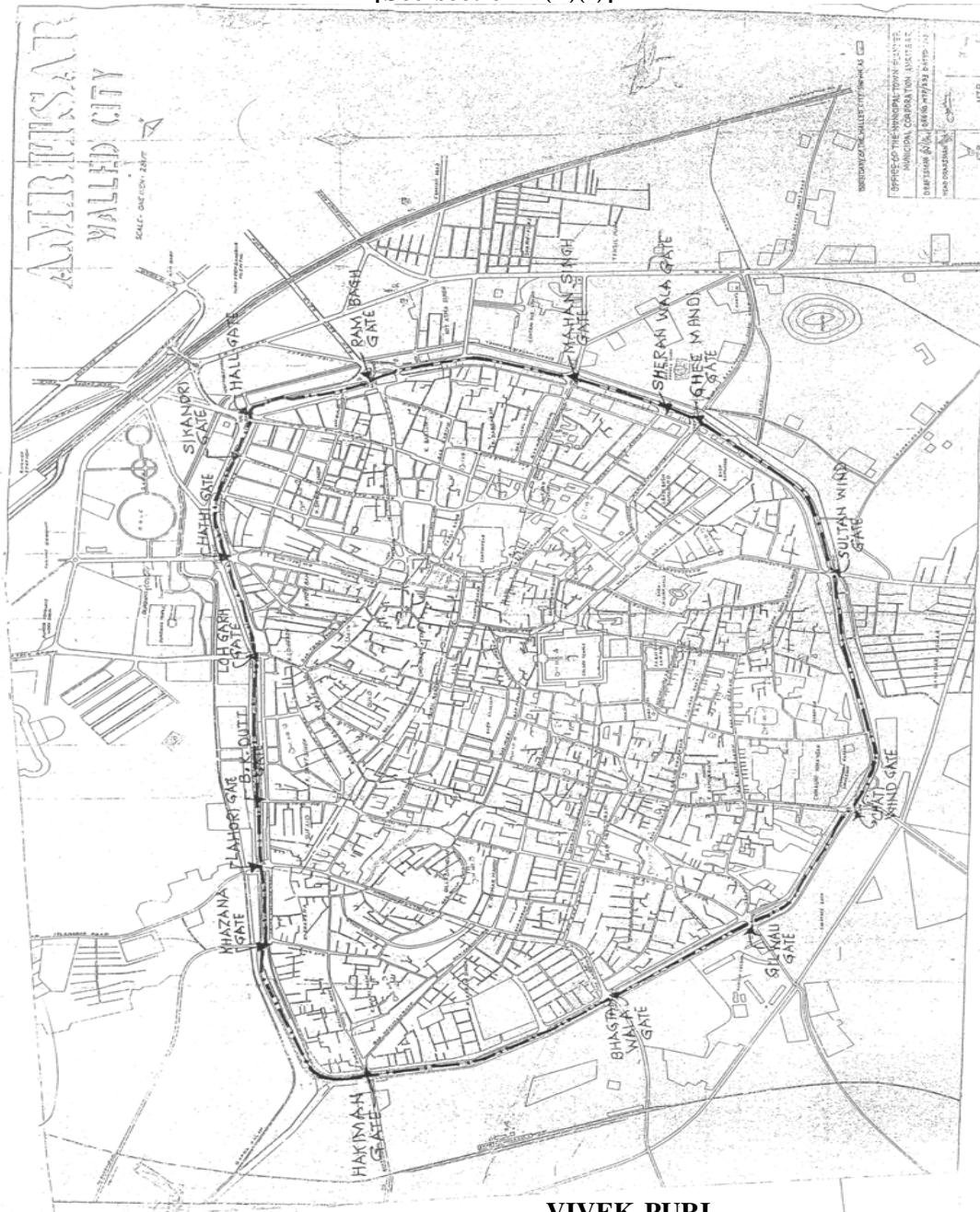
- (a) Copy of ownership document;
- (b) Copy of approved building plan, if any;
- (c) Structural Safety Certificate given by the Structural Engineer;
- (d) Fire Safety Certificate, if applicable;
- (e) Four copies each of the Location Plan, Site Plan, Floor plans, Elevations and Sections of the commercial establishment, Service Plans and specifications as provided in the building byelaws, duly signed and certified in the prescribed format, by the owner and Architect/building designer.

(Note:- In the drawings/Plans the non-compoundable violations shall be outlined in red colour and All the drawings/Plans shall be duly signed and certified by the Owner and the Architect/Building designer that the constructions have been raised on or before the appointed date and all the details/measurements are as per construction existing at site.)

Yours faithfully,

(Signature/Thumb impression of
 applicant with date of submission)

SCHEDULE
 [See section 2(1)(i)]



VIVEK PURI,
 Secretary to Government of Punjab,
 Department of Legal and Legislative Affairs.

PART III

GOVERNMENT OF PUNJAB

OFFICE OF THE EXCISE AND TAXATION COMMISSIONER,
PUNJAB, PATIALA

NOTIFICATION

The 26th April, 2016

No.S.O. 41/CST (P) R/1957/R.7/2016 .- In pursuance of the provisions of sub-rule (10) of rule 7 of the Central Sales Tax (Punjab) Rules, 1957 appointed *vide* the Government of Punjab Department of Excise and Taxation Notification No. S.O. 11/P.A.8/2005/S.3/2013, dated the 31st January, 2013 and all other powers enabling him in this behalf I, Rajat Aggarwal, IAS, Commissioner, Punjab, hereby declare the declaration in Form 'F' Nos. 619678, 619680, 619681, 619682, 619684, 619685, 619688, 619691, 619693, 619696, 619699 and 619702 of PB/AF, series,) as obsolete and invalid, with immediate effect.

RAJAT AGGARWAL,
Commissioner, Punjab.

1002/04-2016/Pb. Govt. Press, S.A.S. Nagar

PART III

GOVERNMENT OF PUNJAB

OFFICE OF THE EXCISE AND TAXATION COMMISSIONER,
PUNJAB, PATIALA

NOTIFICATION

The 26th April, 2016

No.S.O. 42/CST (P) R/1957/R.7/2016 .- In pursuance of the provisions of sub-rule (10) of rule 7 of the Central Sales Tax (Punjab) Rules, 1957 read with the Government of Punjab, Department of Excise and Taxation Notification No. S.O. 11/P.A.8/2005/S.3/2013, dated the 31st January, 2013, I, Rajat Aggarwal, IAS, Commissioner, Punjab, hereby declare the declaration in Form 'F' Nos. 0599207, 0599215, 0620043 to 0620052 of PB/AF, series, as obsolete and invalid, with immediate effect.

RAJAT AGGARWAL,
Commissioner, Punjab.

1002/04-2016/Pb. Govt. Press, S.A.S. Nagar

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Nil